

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NATHANIEL DWAYNE CAETANO,
Plaintiff,
v.
BOARD OF STATE AND COMMUNITY
CORRECTIONS, et al.,
Defendants.

Case No.: 1:22-cv-00687-JLT-SKO (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DISMISS THIS
ACTION FOR FAILURE TO STATE A
COGNIZABLE CLAIM FOR RELIEF

(Doc. 15)

Nathaniel Dwayne Caetano seeks to hold the defendants liable for civil rights violations pursuant to 42 U.S.C. § 1983. The magistrate judge found Plaintiff failed to state claims upon which relief could be granted. (Doc. 15.) Therefore, the magistrate judge recommended the first amended complaint be dismissed without leave to amend for its failure to state a cognizable claim. (*Id.* at 23.) In addition, the Court advised Plaintiff that the “failure to file objections within the specified time may result in waiver of his rights on appeal.” (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th Cir. 2014); *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991).) To date, no objections have been filed and the time to do so has expired.

According to 28 U.S.C. § 636(b)(1)(C), this Court conducted a de novo review of this case. Having carefully reviewed the matter, the Court concludes the Findings and Recommendations to be supported by the record and proper analysis. Accordingly, the Court

1 **ORDERS:**

- 2 1. The findings and recommendations issued on May 2, 2023 (Doc. 15) are **ADOPTED**
3 in full.
- 4 2. The first amended complaint is **DISMISSED** without leave to amend for a failure to
5 state a claim upon which relief can be granted.
- 6 3. The Clerk of the Court is directed to terminate all pending motions and to close this
7 case.

8 IT IS SO ORDERED.

9 Dated: May 26, 2023


UNITED STATES DISTRICT JUDGE